

# EXHIBIT A

VICKIE D. CLEVELAND  
UNITED STATES vs STATE OF GEORGIA

August 17, 2022

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,	)	CIVIL ACTION
Plaintiff,	)	NO. 1:16-cv-03088-ELR
	)	
vs.	)	
	)	
STATE OF GEORGIA,	)	
	)	
Defendants.	)	
- - - - -	)	

VIDEOTAPE DEPOSITION OF  
VICKIE D. CLEVELAND

Wednesday, August 17, 2022, 8:59 a.m., EST

HELD AT:  
  
Robbins Alloy Belinfante Littlefield LLC  
500 14th Street, N.W.  
Atlanta, Georgia 30318

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WANDA L. ROBINSON, CRR, CCR, No. B-1973  
Certified Shorthand Reporter/Notary Public

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1 that, you mentioned?

2 A I got the director of special education  
3 endorsement, which was right after -- right before,  
4 right after that one. And then I received  
5 educational leadership, and that added another area  
6 So that would have been that 2007 degree was  
7 attained. That should be the date.

8 Q A moment ago you mentioned a PSC?

9 A Professional Standards Commission. They  
10 are the ones that license teachers in the State of  
11 Georgia.

12 Q Thank you. What is your current job  
13 title, Mrs. Cleveland?

14 A My current job title is program manager  
15 for the GNETS program, GNETS.

16 Q And is your employer --

17 A Georgia Department of Education.

18 Q And when did you assume the position of  
19 GNETS program manager?

20 A That would have been in February of 2018.  
21 I moved into the role in an interim role in -- I  
22 think it was around November 2017, and then moved  
23 into the permanent role in February of 2018.

24 Q Who do you report to as program manager?

25 A Wina Low. She is the State director for

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1 Zelphine Smith-Dixon, and then currently Wina Low?

2 A Nakeba Rahming didn't evaluate, but she  
3 was the deputy and she and Zelphine were kind of  
4 sharing that I guess supervision, supervisory role.

5 So it was Nakeba and Zelphine, and Nakeba  
6 did not return, and then I reported to Zelphine, and  
7 now to Wina Low.

8 Q Who evaluates you?

9 A Wina Low.

10 Q Wina?

11 A Uh-hum. (Affirmative.)

12 Q Would I be correct that Zelphine  
13 previously --

14 A Yes.

15 Q -- evaluated you?

16 A She did.

17 Q Do you have any direct reports?

18 A I do have one. Lakesha Stevenson is the  
19 program specialist.

20 Q When did Lakesha Stevenson begin in that  
21 role?

22 A Dates again. I'm trying to think. I'm  
23 thinking it may have been fall of 2018, because I  
24 became a manager in February in that position, was  
25 approved -- I think she started in the fall, in

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1 A 2017, correct. Yes.

2 Q Thank you. Just wanted to get it correct  
3 on the record.

4 A See the timeline. I'm trying to think of  
5 the timelines.

6 Q Thank you.

7 When you applied, did you assume it was  
8 going to be similar responsibilities to what you  
9 were doing as the interim program manager?

10 A Yes, and that was a short window, too,  
11 from November to February, but yes.

12 Q And what did you understand the role to be  
13 of the GNETS program manager?

14 A To provide technical assistance to the 24  
15 programs that are out there across the State  
16 throughout the network; to work with the budget  
17 division in looking at allocations for GNETS  
18 funding; working with them to allocate those funds  
19 to the GNETS programs; working with the budget  
20 division within special education to review budgets  
21 that were submitted for approval with them;  
22 providing technical assistance around the strategic  
23 plan, which is the framework for issues for  
24 implementation of the GNETS program; training on the  
25 Board rule to GNETS directors and also LEAs if

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1 needed.

2 I'm trying to think what else.

3 And just providing professional learning  
4 and technical assistance as needed and throughout  
5 the year for GNETS directors.

6 Q Have these responsibilities changed as  
7 your -- during your time as program manager?

8 A The responsibilities are still the same.  
9 Still -- maybe more training, collaborative training  
10 with other divisions, like making sure GNETS has  
11 access to TKES and LKES training, professional  
12 qualifications, working with Title II. So I worked  
13 with some other units to get technical assistance to  
14 GNETS directors.

15 Q You just mentioned TKES and LKES?

16 A That is the evaluation system for teachers  
17 in the State of Georgia and LKES is the evaluation  
18 tool that is used for leaders in the State of  
19 Georgia.

20 So Title II provides training for the  
21 GNETS directors on the TKES piece. Because all  
22 teachers are evaluated on TKES.

23 Q What does Title II refer to?

24 A Title II, the piece that I collaborate  
25 with my colleagues on, is the certification, teacher

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1 We do a lot. Blanking...

2 And of course we had to respond to  
3 interrogatories, production of documents. She  
4 participated in that also.

5 Q How often do you communicate with Lakesha  
6 Stevenson?

7 A We try to do a GNETS touch-base meeting  
8 each day, talk about -- yeah, each day. If not  
9 every day, every other day.

10 Q Is Lakesha Stevenson devoted exclusively  
11 to working on GNETS?

12 A She is.

13 Q Are you?

14 A Yes.

15 Q Is there any work that Lakesha Stevenson  
16 completes that you do not oversee?

17 A No.

18 Q Do you evaluate Lakesha Stevenson?

19 A I do.

20 Q How frequently?

21 A Annually.

22 Q Are you interested in growing your team in  
23 the future?

24 A I would have to think about that. It  
25 would depend on I guess how much the work would

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1 Q Do you meet with the regional GNETS  
2 programs?

3 A Yes. I'm sorry, I'm drawing a blank  
4 there. Yes.

5 Q How often?

6 A We do monthly meetings. Typically we  
7 don't do the month of November and December, and  
8 then we pick back up in January and maybe meet  
9 through April -- or maybe we end right at April  
10 because testing starts.

11 But, yes, we do monthly updates with them.

12 Q Are these meetings with the regional GNET  
13 program directors?

14 A Yes. Directors meetings.

15 Q Does anyone else attend?

16 A I've invited Wina to attend. It's my --  
17 Lakesha and the GNETS directors and anyone I have  
18 providing updates. This is where TKES and LKES may  
19 come to the meeting, Data Collections may come to  
20 the meeting.

21 Who else do I have on there? PBIS may  
22 give updates. So I have different other divisions  
23 provide updates to the GNETS directors, and any  
24 updates we may have.

25 Q Who facilitates these meetings?



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1 MS. TUCKER: I'd like the court reporter  
2 to mark this document as Plaintiff's Exhibit  
3 379.

4 The Bates number on the first page of this  
5 exhibit is GA01078807.

6 (WHEREUPON, Plaintiff's Exhibit-379 was  
7 marked for identification.)

8 BY MS. TUCKER:

9 Q This is an October 28th, 2020 email from  
10 you to Zelfhine Smith-Dixon and Shaun Owen, and you  
11 copy Lakesha Stevenson and Stacey Suber-Drake, and  
12 the subject is "2019-20 AU Data."?

13 THE WITNESS: Yes, this looks like it  
14 would be privileged.

15 MS. JOHNSON: This looks like again an  
16 inadvertent production and I'm going to  
17 instruct the witness not to answer any  
18 questions on this document.

19 MR. HOLKINS: Thanks, Melanie. We can  
20 talk more later. Great.

21 MS. TUCKER: I'd like the court reporter  
22 to mark this document as Plaintiff's Exhibit  
23 380.

24 The Bates number on the first page of this  
25 exhibit is GA00346118.

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1 (WHEREUPON, Plaintiff's Exhibit-380 was  
2 marked for identification.)

3 BY MS. TUCKER:

4 Q This is a May 20th, 2019 email chain  
5 between you and Lakesha Stevenson?

6 A Okay.

7 Q The subject of the email is blank, but  
8 there's one attachment.

9 Do you recognize this email, Mrs.  
10 Cleveland?

11 A Yes.

12 Q Let's turn to the attachment, which starts  
13 on GA00346120.

14 Am I correct that at the top it reads  
15 "Georgia Network for Educational and Therapeutic  
16 Supports?

17 A Yes.

18 Q And that the GaDOE logo is on the bottom?

19 A Yes.

20 Q Do you recognize this document?

21 A Yes.

22 Q Who created this document?

23 A Lakesha Stevenson, the program specialist.  
24 She created it.

25 Q Did you ask her to create it?

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1 A Yes.

2 Q For what purpose?

3 A Eleven of our programs received a  
4 therapeutic services grant to provide therapeutic  
5 services. That grant is allocated to hire licensed  
6 clinical social workers or social workers, master's  
7 of social workers, that can provide therapeutic  
8 services. And we have set up a process that they  
9 provide logs to us that outline what therapeutic  
10 services were provided for the students, and she  
11 then pulls all those logs together and pulls this  
12 report to let me know what types of therapeutic  
13 services are you seeing on the logs, what's being  
14 implementing by the licensed clinical therapist.

15 And it shows, the graph shows the trends  
16 of what type of services they're documenting on  
17 their logs that they're providing.

18 So it's a way of -- because they get the  
19 allocation for that grant, this is a process I set  
20 up so we can monitor what type of therapeutic  
21 supports are being provided.

22 Q What are the dates of this grant?

23 A The therapeutic services grant?

24 Q Uh-hum. (Affirmative.)

25 A It's allocated each year. Is that what

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1 you're asking?

2 Q So it's allocated each year, the grants?

3 A It's a therapeutic grants yes.

4 Q And eleven of the regional programs have  
5 it currently?

6 A Right. It was in place when I came on  
7 board and it's based on need for the program. So  
8 eleven of them do.

9 Q Currently?

10 A Uh-hum. (Affirmative.)

11 Q Have other programs had it in the past and  
12 then no longer?

13 A Not that I'm aware of.

14 Q Have programs been added during your time  
15 as GNETS program manager as a recipient of this  
16 grant?

17 A Not this grant, no.

18 Q So it's the same eleven regional programs  
19 have remained constant?

20 A Yes.

21 Q Which programs receive this grant?

22 A I don't have them all memorized, but -- I  
23 don't have them all, the names.

24 I'm trying to think of some of them. The  
25 Oconee program I believe receives the grant.

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1           These are things that I can just pull up  
2 and they're right there.

3           Oconee. Coastal I think receives it.  
4 Cedarwood, Flint program, Northstar, Northwest  
5 Georgia GNETS.

6           Go down the list.

7           Rutland. I'm just going through the list.  
8 But those are the ones I can easily recall.

9           Q     You hit seven of the eleven?

10          A     There are four out there, in here  
11 somewhere.

12          Q     You mentioned it was based on need. Can  
13 you elaborate?

14          A     The way it was initially set up, the  
15 programs that receive that are in areas where it's  
16 difficult to find, you know, providers in those  
17 areas because of where they're regionally based, was  
18 my understanding.

19                 So this grant allows them to, you know,  
20 contract out or use it to find supports,  
21 professionals to provide therapeutic supports.

22          Q     And you earlier mentioned or testified  
23 that you monitored the monthly logs, correct?

24          A     Yeah. Lakesha receives those and compiles  
25 those and shares the updates with me.

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1 don't participate in the IEP meetings, and those  
2 decisions are made locally with the IEP teams as to  
3 whether or not the child needs residential or GNETS  
4 services.

5 Q What is a more restrictive placement than  
6 GNETS along the continuum?

7 A It would be residential, would be the next  
8 placement on the continuum. Residential services.

9 Q A private residential treatment? Or  
10 public?

11 A It could be. Again, that would be a local  
12 IEP team decision.

13 Q But that's the next step on the continuum  
14 we discussed earlier?

15 A Residential placement, uh-hum.

16 Q Okay. Do you speak to the GNETS programs  
17 directors, the regional GNETS program directors,  
18 about residential placement or their students --

19 A No.

20 Q -- being in residential?

21 A No.

22 Q Have you ever collected data from the  
23 regional programs on whether they had students being  
24 sent to residential treatment?

25 A Yes. As part of their grant application

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1 -- reintegration piece -- there's one of the -- I  
2 can't think of the name of the tab. I look at those  
3 things all the time.

4           There's a tab that does talk about  
5 short-term stabilizations, what's a child's  
6 residential place. So they list self-reported data  
7 from each program, that they list the students that  
8 were referred for residential because sometimes kids  
9 do have short-term stabilizations, and then they  
10 transition back.

11           But, yeah, we do collect that data from  
12 them as far as the environment. If they went back,  
13 you know, to a school-based setting, to a less  
14 restrictive, we do collect through the grant app.

15           Q     And that's through each regional GNETS  
16 program?

17           A     Yes.

18           Q     Earlier we spoke about GNETS students  
19 being in GNETS centers as well as GNETS school-based  
20 locations, correct?

21           A     Yes.

22           Q     Do you know how many centers are being  
23 used this school year?

24           A     I think it is approximately 35 maybe  
25 centers.

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1 Q How about last year?

2 A I don't recall the numbers but it's  
3 information that I could have access to.

4 Q Do you know how many school-based  
5 locations are being used this current school year?

6 A Looks like it's going to be about 120 or  
7 so, approximately.

8 Q Is that a change from last year?

9 A I can access that information. I don't  
10 have that memorized as far as exact numbers.

11 Q Is this information that you do collect  
12 and track?

13 A I don't track it, but if I needed to  
14 access it, I would reach out to Data Collections to  
15 get it.

16 Q If you needed to access it, you would  
17 contact Data Collections?

18 A Uh-hum. (Affirmative.)

19 Q Was that a yes?

20 A Yes. I'm sorry. I'm so used to talking  
21 with my hands.

22 Q Would you request this information from  
23 the regional GNETS programs?

24 A No, I do not collect -- just data like  
25 around this I get from them, but any data, I do that



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1 manager, correct?

2 A My understanding, that changed when the  
3 Board rule changed.

4 Q When was that?

5 A The Board rule was reauthorized in 2017, I  
6 believe.

7 Q Does GaDOE receive data on how long a  
8 student has been in GNETS?

9 A No, I don't receive a report on that.

10 Q That's not information that you collect?

11 A No.

12 Q Like length of stay? Length of placement?

13 A No. Not currently, no.

14 Q Do you have any knowledge on this area of  
15 how long an average stay for a GNETS student is?

16 A I do not.

17 Q Is that information that the regional  
18 GNETS programs collect?

19 MS. JOHNSON: Objection.

20 A I don't know that they would collect it.

21 Q Do you look at data related to GNETS  
22 students who leave and return to the general  
23 education setting?

24 A That's the data in the grant application  
25 that looks at reintegration.

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1           They list in there, and this is  
2 self-reported data from each program, they list  
3 students, you know, that went back for  
4 extracurricular, students that went back to their  
5 home school district. There are different little  
6 reporting pieces in there, maybe four or five items,  
7 that they provide data through their grant  
8 application process. So we do have that  
9 information.

10           Q     What are the four or five items that are  
11 required in the grant application?

12           A     One of them was short-term stabilization,  
13 return to home school.

14                   Let me see. I'm trying to think what else  
15 was on there.

16                   Or remain center-based. I don't want to  
17 misquote but these are some of the pieces of the  
18 reintegration those are the examples of the  
19 reintegration data that's in the grant app.

20           Q     Do you assess this data when looking at a  
21 GNETS application?

22           A     We do take a look at that.

23           Q     What do you look for?

24           A     Just what they're reporting as the, the  
25 locations that kids are being served.

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1           What we have done previously, too, in  
2   strategic plan reviews, that's the data that is  
3   looked at with that, and just have conversations  
4   with them about the number of kids who have  
5   reintegrated, the number of kids that are  
6   participating in extracurricular activities. We've  
7   had discussions with some -- with them during  
8   strategic plan reviews on that.

9           Q     What would you discuss with regard to  
10   that?

11          A     Just asking that question. What does your  
12   reintegration data look like? How many students  
13   have gone back to their home school districts? How  
14   many kids are participating in extracurricular  
15   activity with their home school districts?

16                If they are center-based, are the kids  
17   leaving centers and going back to participate in  
18   extracurricular. Are kids that are school-based,  
19   are they participating? When are they exiting?

20                Any questions around reintegration.

21          Q     Why are you asking those questions?

22          A     It is part of the strategic plan. That's  
23   a section we have in there, and it's in the grant  
24   app, reintegration data, because we want to see the  
25   data and the trends of who's remaining in GNETS and

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1 familiar with?

2 A I've seen that old version but I'm not  
3 familiar with the contents, whereas I am with this  
4 one because this one I was coming in, in the  
5 November.

6 Q Why was the rule revised in 2017?

7 MS. JOHNSON: Objection.

8 A I do not know. I wasn't there.

9 Q Did you participate in any conversation  
10 since you were at GaDOE at that time?

11 A The rule was revised in July, and I was  
12 not working in GNETS. At that time I was a DL.

13 Q And it didn't come up when you were a DL?

14 A No.

15 Q Would you say the GNETS rule informs how  
16 you work in your position?

17 A It does.

18 Q In what ways?

19 A One, the SEA roles and responsibilities  
20 are defined in that, and I'm able to provide  
21 technical assistance to GNETS directors and special  
22 education directors on the Board rule and the  
23 contents.

24 Q Let's take a look at the rule.

25 I am going to show you what was previously

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1 marked as Plaintiff's Exhibit 82.

2 (WHEREUPON, Plaintiff's Exhibit-82 was  
3 previously marked for identification.)

4 BY MS. TUCKER:

5 Q This is -- the top of the document states  
6 "160-4-7.15." It says, "Georgia Network for  
7 Educational and Therapeutic Supports (GNETS)."

8 Mrs. Cleveland, is this the 2017 rule?

9 A I was going to look at the back.

10 It is, July 5th, 2017.

11 Q Let's turn to Section 5(a) on the SEA's  
12 duties and responsibilities. It starts on Page 4.

13 Do you see that?

14 A Yes.

15 Q I believe we both agreed earlier SEA means  
16 state educational agency?

17 A Correct.

18 Q So GaDOE?

19 A Yes.

20 Q Do you see where it says: "The SEA shall  
21 1. Receive and disburse funds appropriated by the  
22 Georgia General Assembly to support GNETS services"?

23 A Yes.

24 Q Who all works on this responsibility  
25 within GaDOE?

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1           A       This is the budget process. I work with  
2 the budget liaison, and this is that process I  
3 explained where I get the student record counts.  
4 When I get those, usually around July, I get those  
5 to Geronald, our budget liaison.

6                   It goes through that process of him  
7 getting that information to the Office of Planning  
8 and Budget, and whatever happens in that legislature  
9 process through the budget process that year, once  
10 it comes back from them, he then gets the final  
11 allocations, once the budget is approved and signed  
12 by the Governor. It's my understanding he then gets  
13 those allocations to me and then I create the Board  
14 item for the allocations.

15           Q       How long does that process take?

16           A       The budget process, I guess it falls in  
17 the legislative calendar, which I'm not sure the  
18 first start date or end date, but I know this  
19 information, as far as students record count, I  
20 typically will get that to Geronald, like in  
21 September, like around this time. September I get  
22 those numbers to him, and then I don't hear back  
23 from him until the spring, once it's gone through  
24 that legislative budget process, that these are the  
25 approved allocations for GNETS.

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1           And then from there I share with my direct  
2 supervisor, Lakesha and Shaun, of course, these are  
3 the allocations, whatever fiscal year it is, and  
4 then I develop that Board item with the spreadsheet  
5 that shows what those allegations are going to be.

6           Q     And when are funds disbursed to the GNETS  
7 program?

8           A     Once it goes -- comes over -- I typically  
9 get that April, May, maybe from Geronald. The Board  
10 item is created. It goes to the Board for approval,  
11 of course. And once the Board approves it, it goes  
12 to Grants Accounting Office and the Grants  
13 Accounting Office pushes the funding out to their  
14 budgets.

15          Q     Can you give an estimate of what time of  
16 year that is?

17          A     April. You know, the, the general  
18 assembly does their piece in approving everything,  
19 the Governor signs off.

20                This could be -- I kind of handle that as  
21 a Board item typically by June. That's when I  
22 usually take that item. So I'm getting that  
23 information, you know, the Board item developed,  
24 approval, sent to whoever it needs to go to, and  
25 again it goes to the Board for June.

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1           So that budget process, from the time that  
2 I give the information to Geronald and he gets back  
3 to me in the spring, April, mid-April or May, it  
4 goes to the Board in June.

5           Q     Do you see where looking at the rule  
6 again, it says: "The SEA shall administer the grant  
7 funds by performing the following in collaboration  
8 with GaDOE." With the first reading, "develop rules  
9 of procedures regulating the operation of the GNETS  
10 grant, including the application process."

11          A     Yes. That operation of the grant, there  
12 is a GNETS grant application that each GNETS  
13 completes and submits. We have it -- it's now set  
14 up through what we call our GaDOE portal, protected  
15 portal.

16               Each GNETS goes in and they complete that  
17 grant application. I did get that set up where they  
18 are submitting those by May, so that I can have the  
19 item to the Board by June, and we then -- Lakesha  
20 and I review the grant applications.

21          Q     Where it says develop rules and procedures  
22 regarding the grant, the GNETS grant, have you  
23 developed those rules and procedures?

24          A     The rules fall to me under this, where it  
25 talks about LEA -- I mean SEA administering and



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1 sending out the grants.

2 The procedures, we have an attachment that  
3 is used that talks about what attachment should be  
4 uploaded with the grant applications, and that  
5 attachment, you know, talks about different items.  
6 The restraint procedures have to be uploaded.

7 There are different things around that.  
8 So that attachment serves as that.

9 And we also did a budget training. I  
10 guess it may have been last fall. We try to do that  
11 every fall, where it's explained about how their  
12 allocations will go out.

13 I have someone from Amber's team come and  
14 present on federal grants and the things that are  
15 allowable and not allowable when they're getting  
16 ready to develop their budgets with the funds.

17 Q In addition to this GNETS rule, are there  
18 other written rules or procedures that GaDOE has  
19 developed related to GNETS?

20 MS. JOHNSON: Objection.

21 A Ask the question again.

22 Q Yeah. Do you have any other written rules  
23 or procedures related to the GNETS grant that you've  
24 developed or someone at GaDOE has developed?

25 MS. JOHNSON: Objection.

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1           A       Not to the grant, other than the grant  
2 application and of course the attachments, you know,  
3 things that should be attached to the grant  
4 application.

5           Q       Got it.

6                   Let's move to 2ii.

7                   Do you see where it reads: "Notify the  
8 fiscal agents regarding each fiscal year's  
9 allocation and approve GNETS services budgets"?

10          A       Yes.

11          Q       And you have this role, correct?

12          A       I do -- when the budget allocations are  
13 sent back to me or given to me by Geronald, the  
14 budget liaison, I will create a spreadsheet that  
15 says what those allocations are for each of the  
16 GNETS programs, and before it goes -- it's kind of  
17 happening at the same time the Board item is  
18 created. I send that to Wina Low, who is the state  
19 director for special education, and she will send  
20 out preliminary allocations because it's not final  
21 of course until it's approved by the State Board of  
22 Education.

23                   So we notify them these are your  
24 preliminary allocations and, you know, these  
25 allocations will be finalized after Board approval.

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1 So that preliminary communication goes out.

2 And in looking at approving the budgets, I  
3 work with Amber's team, her program specialists.  
4 They are also assigned regionally throughout the  
5 State to support different LEAs. And those budgets,  
6 as they are submitted from the fiscal agents, they  
7 go to the budget liaisons first. They are looking  
8 at that for compliance, function/object codes, which  
9 is their jargon, on the budgets, and I work with  
10 them to look at the budgets to see what they have  
11 budgeted, on their budgets.

12 And then we -- if we have questions, if  
13 it's a compliance question around what function or  
14 object code was used, if they may have used a code  
15 for teacher that should have been the code for para,  
16 they look at that lens.

17 And if there are questions about any of  
18 the items that have been budgeted in the  
19 description, I may give feedback and say -- say if  
20 they just put five positions. I may have a question  
21 for them, what are the five positions, as I don't  
22 know their jargon of function, object codes, and  
23 they are able to work with the fiscal agent to say,  
24 oh, this is for 10 teachers or this is for 10  
25 parents.

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1 Q Are there ever items in the budget that  
2 you don't approve?

3 A Not, not very often. It may be like that  
4 example I gave, if I see something -- the example I  
5 remember is 10 positions were on the budget. What  
6 exactly, you know, is that for? Is that for  
7 parents, teachers? Is it therapeutic people? You  
8 know, what are those for?

9 So things like that, but that doesn't  
10 happen regularly, from what I can recall right now.

11 Q Let's look at 2 -- 3ii.

12 Do you see where it reads: "Monitor GNETS  
13 to ensure compliance with Federal and state  
14 policies, procedure, rules, and the delivery of  
15 appropriate instructional and therapeutic services"?

16 A I mentioned before the Results Driven  
17 Accountability Unit. They monitor through  
18 cross-functional monitoring, where they look at  
19 those two GNETS files whenever they go out.

20 We have monitored through my -- the two of  
21 us, Lakesha and I, through the strategic plan  
22 review, you know, looking at that, reviewing that  
23 with them. It's a self-assessment type rubric, that  
24 they have the different activities outlined in the  
25 different focus areas in the strategic plan.

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1 We have gone out and reviewed that with  
2 them and looked at their ratings, their  
3 self-assessment ratings, and given feedback based on  
4 the, you know, the information that they share with  
5 us, as to whether or not they are able to show  
6 fidelity -- information for -- implementation for  
7 the activities, the evidence of that. So we've  
8 monitored that.

9 Q Through the strategic plan process?

10 A Uh-hum. For my division, yes.

11 And cross-functional monitoring teams,  
12 when they go out, they monitor the RDA monitors,  
13 like I said, those two IEPs they may pull. But our  
14 budget division also monitors the budgets for the  
15 different fiscal agents, and they do sometimes talk  
16 with fiscal agents for GNETS about their budgets.

17 Q With the CFM monitoring, it's two IEP  
18 files they look at?

19 A For RDA, yes. They pull two.

20 Q For results driven --

21 A -- accountability. They pull two files,  
22 and it's random. My understanding from them, it's  
23 random.

24 Q Is it the student IEP file only or are  
25 there more documents?

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1 performing on those.

2 Q What is iReady?

3 A IReady is a math/reading diagnostic.

4 GaDOE looks at usage and pass rates for how kids are  
5 performing in the different domains for reading and  
6 math.

7 Q Is it curricula or remedial?

8 A Remedial.

9 Q Do all GNETS students participate?

10 MS. JOHNSON: Objection.

11 A Not --

12 Q You can answer.

13 A Not all students. That's a local  
14 decision. Of course that depends on what they're  
15 looking at as far as how kids are performing from  
16 their data, and they can decide based on what they  
17 see how their kids' progress is coming along, as to  
18 whether or not they have them have this additional  
19 supplemental piece.

20 Q Do you raise concerns related to academic  
21 progress that you see in iReady?

22 A We look at the -- the data we get shows  
23 the entire network. Like I can see how they're  
24 performing in different domain areas and they're  
25 moving -- if kids are moving.

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1 I'm trying to think when we would have  
2 done some face-to-face. We do ask them to pull --  
3 share their iReady data, because they can see it for  
4 their specific GNETS, and there's conversation.

5 I mean we've had conversation that can  
6 show, hey, kids are making progress, you're moving  
7 kids from this domain and they're moving along with  
8 the intervention.

9 Q Who pays for iReady?

10 A IReady is a supplemental instructional  
11 grant and -- it's another grant that the board  
12 gives. They let us know how many licenses they're  
13 going to need, and we get that grant subgranted, and  
14 each GNETS works directly with that vendor to do  
15 their invoicing and what-not from the grant that's  
16 subgranted.

17 Q But it's from the State?

18 A It's from the GaDOE big pocket of money,  
19 yes.

20 Q What's the vendor's name?

21 A It's Curriculum -- it's iReady Curriculum  
22 Associates. IReady.

23 Q A moment ago you mentioned that you sent  
24 reports out in the past regarding progress, is that  
25 correct, on iReady?

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1 Q Anyone that --

2 A Not that I can recall.

3 Q Anyone within GaDOE?

4 A I'm trying to think of when I've had  
5 anybody go. This would be have been since 2020.  
6 Not that I recall.

7 Q Earlier you mentioned that you would visit  
8 a GNETS program to exert -- observe academics and  
9 instruction. Are these meetings separate from the  
10 strategic review meetings?

11 MS. JOHNSON: Objection.

12 A When we were out doing the visits, before  
13 review would start or maybe after review, I may  
14 visit some classrooms. So it could have been during  
15 the strategic plan reviews.

16 I'm trying to think. Or if we're doing  
17 meetings, when we used to have those face-to-face,  
18 if there was some time before or after I may visit  
19 some classrooms before those meetings, if it was at  
20 a GNETS location face-to-face.

21 Q The meetings you have coming up, what's  
22 the purpose of those meetings?

23 A To provide GaDOE updates, technical  
24 assistance. Those operational pieces.

25 Like the one that's coming up, we'll do



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1 one in August. I will have Data Collections come  
2 because GNETS provides -- GNETS directors have to  
3 work with the LEAs in doing those FTE reporting  
4 coding times. So I'll have someone come and report  
5 on that.

6 But I believe I have someone coming from  
7 PBIS. TKES and LKES comes. I've had someone from  
8 assistive technology come for any students who may  
9 need -- for the GNETS directors to share with their  
10 teachers, updates on assistive technology.

11 I've had budget staff present from a  
12 budget and how GNETS is funded.

13 Some others. Transition planning, I've  
14 had someone come and present on that. I plan on  
15 having them come again.

16 Q So all of these folks would join you on  
17 your visit?

18 A No. During the meeting -- for directors  
19 meetings.

20 Q During director meetings?

21 A Yes.

22 Q I'm curious about the upcoming visits.

23 A I'm sorry.

24 Q That's okay. What's the purpose of the  
25 upcoming visits?

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1 from the regional GNETS programs?

2 A No.

3 Q At school-based locations, when you  
4 visited, have you made note of whether the GNETS  
5 classrooms are in separate wings?

6 A I'm trying to think if there was any --  
7 MS. JOHNSON: Objection.

8 A I don't recall any being separate. I'm  
9 trying to think.

10 Q Have you observed GNETS students entering  
11 and exiting through different entrances?

12 MS. JOHNSON: Objection.

13 A I have not.

14 Q What type of information is uploaded into  
15 the GaDOE portal?

16 A The grant application, and that grant  
17 application is aligned with the focus areas, the  
18 strategic plan. So there's the personnel piece  
19 uploaded in there. Location is uploaded in there.  
20 Any behavioral or therapeutic supports that they're  
21 providing for their students, any instructional  
22 supports that they're providing for their students  
23 is uploaded in there. Restraint data is in there.

24 Q Is this your main way of receiving data  
25 from the regional GNETS programs?

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1 A As far as the strategic plan  
2 implementation piece, yes, I get that through that.

3 Q I know we discussed the therapeutic  
4 service logs for the eleven programs that received a  
5 grant, correct?

6 A Uh-hum. (Affirmative.)

7 Q Do you receive monthly service logs for  
8 other GNETS programs?

9 A I do not.

10 Q Do you track therapeutic services related  
11 to the other GNETS, regional GNETS programs?

12 A I don't track it but if they're -- when we  
13 have done strategic plan reviews, that is  
14 information that they share. They share therapeutic  
15 supports that they provide. And also mental health,  
16 collaboration with mental health -- mental health  
17 providers in the community. They share that  
18 information with us in those meetings.

19 MS. TUCKER: I'd like to introduce  
20 Plaintiff's Exhibit 386.

21 (WHEREUPON, Plaintiff's Exhibit-386 was  
22 marked for identification.)

23 MS. TUCKER: The Bates number on the  
24 bottom of the document is GA00364535.

25

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1 this document that was inadvertently produced  
2 and we're claiming privilege to this.

3 MS. TUCKER: By subject matter, can you be  
4 specific?

5 MS. JOHNSON: Sure. The subject matter  
6 within this, this email.

7 MS. GARDNER: What type of privilege are  
8 you asserting?

9 MS. JOHNSON: Attorney-client privilege  
10 and work product.

11 BY MS. TUCKER:

12 Q Mrs. Cleveland, what is BASC-3?

13 A The BASC-3?

14 Q Yes.

15 A That's Behavioral Assessment Scale for  
16 Children.

17 Q Do regional GNETS programs provide you  
18 with information related to the BASC-3?

19 A They do not provide it to me. In a  
20 strategic plan review, though, they may share their  
21 BASC-3 data up under the therapeutic services area.

22 Q Do you look at it as part of the strategic  
23 plan review?

24 A Yes. They will show their logs of where  
25 they've assessed children and where they fall in the

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1 different areas -- in the different areas.

2 Q What do you look for?

3 A I don't have anything specific that I'm  
4 looking for. They're sharing their assessment data  
5 with me, the results from they've assessed these  
6 numbers of kids, and this is their data.

7 Q Is this used for students outside the  
8 GNETS program as well?

9 A I'm not sure. I don't know.

10 Q What is detailed in this reporting in the  
11 strategic plan?

12 A What's detail -- repeat your question.

13 Q What does -- what is detailed in the  
14 strategic plan related to BASC-3?

15 A It's in the therapeutic -- behavioral  
16 therapeutic assessments. It talks about different  
17 assessments that could be implemented, and that's  
18 one of them, and that's one of the -- that's one of  
19 the pieces of data that they may share when we do  
20 their review.

21 Q Is there a license required to access  
22 BASC-3?

23 A That's, that's paid for through contract  
24 through the State, and, yes, they to have to be  
25 given a license to access it.

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1 Q GaDOE pays for the BASC-3 licenses?

2 A We do.

3 Q What about SDQ?

4 A That's a strength and difficulty  
5 questionnaire. It's another assessment tool that  
6 they can use to look at behavioral strengths and  
7 weaknesses for a student, and they assess the  
8 students and get data from that to inform  
9 programming.

10 Q How frequently do the regional GNETS  
11 programs provide you with SDQ data?

12 A That's data that they collect locally, and  
13 we may review that data, do reviews, but we can --  
14 with the BASC, if I need to go in and see a report,  
15 there's a reporting piece I believe through the  
16 BASC, but I don't collect that data but I do discuss  
17 it with them in their review.

18 Q What do you discuss?

19 A Just the results. Ask them to show us  
20 what kids they assessed and what -- whatever their  
21 data collection piece is, tool, what they're using  
22 for these students that they've assessed, they share  
23 that document with us.

24 Q Are all students not assessed?

25 A I'm not sure. I don't know.

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1 Q What do you look for when you receive this  
2 data if you are then discussing it with them?

3 A If they're sharing the data, I look at  
4 that and it may indicate -- it just shows areas of  
5 difficulty for kids and I'm able to see the number  
6 of kids, and it's pretty much a summary of the  
7 results of the assessment, and I just look at what  
8 they share with that.

9 Q Is the data captured at a student level?

10 A Yes.

11 Q And is there a license required to access  
12 SDQ?

13 A That, and it's another -- GaDOE takes  
14 place for that. There's no -- they have an ask they  
15 can access, but there's not a license -- it's not  
16 through licensing.

17 MS. TUCKER: I'd like the court reporter  
18 to mark this document as Plaintiff's Exhibit  
19 387.

20 The Bates number on the first page of this  
21 exhibit is GA00363542.

22 (WHEREUPON, Plaintiff's Exhibit-387 was  
23 marked for identification.)

24 BY MS. TUCKER:

25 Q This is an email from Lakesha Stevenson to

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1 you, that she forwarded, and the date is November  
2 2nd, 2020, with the subject as "form," F-O-R-M.

3 Mrs. Cleveland, do you recognize this  
4 email?

5 A I'm looking through it.

6 Q Okay. Take your time.

7 (Witness reviews exhibit.)

8 A This is a form for the previous --

9 MS. JOHNSON: We're going to go ahead and  
10 assert the same privilege on this document.

11 If we could take like a 15-minute break,  
12 we may be able to clear this all up.

13 MS. TUCKER: Yeah.

14 MS. JOHNSON: I can't say for certain that  
15 it will, but it may just help streamline the  
16 process.

17 MS. TUCKER: Thank you.

18 THE VIDEOGRAPHER: Off the record at 2:54  
19 p.m.

20 (A recess was taken.)

21 THE VIDEOGRAPHER: Back on the record at  
22 3:19 p.m.

23 MS. JOHNSON: We don't have any objection  
24 to this document. We'll just take the  
25 questions question by question as to whether



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1           there's any objection to privilege.

2           MS. TUCKER: Thank you.

3           MS. JOHNSON: Would you remind me which  
4           Bates number we're on?

5           MS. TUCKER: The document starts at  
6           GA00363542.

7           MS. JOHNSON: Okay.

8           MS. TUCKER: And this is Plaintiff's  
9           Exhibit 388 -- or 387.

10          A       So we're still on this?

11          Q       Yes. We'll go back to that. Thank you,  
12          Mrs. Cleveland.

13                 Mrs. Cleveland, you recognize this email?

14          A       The email -- top part, where it was  
15          forwarded to me?

16          Q       Yeah.

17          A       Yes.

18          Q       And when you received it, you looked at  
19          the bottom part of the email as well?

20          A       Yes.

21          Q       Do you see -- who's Joanna Mock?

22          A       Joanna Mock is the GNETS director for  
23          Heartland Academy program.

24          Q       Am I correct Joanna Mock is emailing the  
25          other regional GNETS directors?

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1 A Yes, it looks like that.

2 Q Your colleague, Lakesha Stevenson, is  
3 cc'ed?

4 A Yes.

5 Q And you see in Joanna Mock's email where  
6 she writes: I wanted to share with you a form that  
7 Whitney" -- in parentheses "(Cedarwood) developed  
8 for us to help with the collection of student data  
9 that Vickie has requested."

10 Do you see that?

11 A I do, yes.

12 Q Great.

13 A I'm sorry. I was reading.

14 Q Do you need a moment to read?

15 A No, I'm good.

16 Q Okay. What had you communicated and asked  
17 from the regional GNETS directors?

18 A I had asked for the content of this  
19 document that looks like from the email Whitney  
20 developed.

21 Q Am I correct that you're referring to the  
22 content identified in the document starting in the  
23 attachment with Bates GA00363545?

24 A Yes.

25 Q Okay. And when did you request this data

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1 from the regional GNETS programs?

2 A I don't know the specific date. Probably  
3 fall of 2020. I don't remember a specific date. It  
4 was around this date on here -- I don't know the  
5 exact date.

6 Q Okay. Do you think it was close in time  
7 to November 2nd, 2020, when Joanna wrote this email?

8 A Yes.

9 Q Okay. How did you communicate this  
10 request to the regional GNETS directors?

11 A I can't recall if -- was it the email that  
12 went out? I can't recall if it was an email because  
13 I see this email, or if it was in a meeting that we  
14 were going to ask they provide information.

15 THE COURT REPORTER: Could you please  
16 speak up.

17 A I'm just thinking through it.

18 I'm thinking it was through an email  
19 requesting that information. I'm thinking. I'm not  
20 for sure.

21 Q What did you tell the regional directors  
22 of why you were collecting this document, email?

23 MS. JOHNSON: Objection, and I instruct  
24 you not to answer.

25 MS. TUCKER: What privilege are you

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1 asserting?

2 MS. JOHNSON: Work product.

3 MS. TUCKER: So we're going to be happy to  
4 follow up with you on the phone or in writing  
5 because it seems like you're asserting work  
6 product privilege and other privileges for  
7 communications between GaDOE and a regional  
8 GNETS program, and you've also asserted that  
9 you-all don't represent the regional GNETS  
10 programs.

11 MS. JOHNSON: Correct. Just to clarify,  
12 I'm not intending to assert any privilege  
13 regarding the communications. I understood  
14 your question to be what her purpose in asking  
15 the GNETS directors for the information was.

16 MS. TUCKER: I was asking what she  
17 communicated to the regional GNETS directors  
18 when collecting this document.

19 MS. JOHNSON: Okay.

20 MS. TUCKER: Or collecting this  
21 information.

22 MS. JOHNSON: Sure.

23 So you may answer what you communicated to  
24 the GNETS directors in requesting this  
25 information.

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1           A       Because this document, it looks like it  
2 was created by the director. But my communication  
3 was information on IEP file reviews.

4           Q       What did you tell the regional GNETS  
5 directors regarding your request for information?

6           A       To review their files in light of the  
7 information on this form. IEP file review. To  
8 review their files based on this information  
9 checklist.

10          Q       Did you provide a reason for why you were  
11 requesting this information?

12          A       No; just that it was an IEP file review.

13          Q       Okay. And how long did you give the  
14 regional GNETS programs to respond?

15          A       I don't recall the timeline.

16          Q       Okay. Let's turn to the attachment, which  
17 is the form at the top which says, "GaDOE Student  
18 Information Checklist."

19                   Did you request during the file review for  
20 the GNETS student's name -- or the GNETS' name?

21          A       Yes.

22          Q       Do you think this refers to a GNETS  
23 student name?

24          A       The program name.

25          Q       This refers to the program name? How does

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1 that work then if No. 2 is requesting the age?

2 A I'm sorry, I want to make sure I -- it  
3 says GNETS name.

4 It looks like that is the name of the  
5 GNETS program, because it -- down here it talks  
6 about GTID, which would identify a student.

7 Q Okay. So No. 1, you request the regional  
8 GNETS programs to look through their IEP files and  
9 include the GNETS name?

10 A Yes.

11 Q And then age of the student?

12 A Uh-hum. (Affirmative.)

13 Q Grade of a student?

14 A Yes.

15 Q The last four of the GTID?

16 A Yes.

17 Q What is a GTID?

18 A It's the Georgia identification number for  
19 students, enrolled in Georgia schools.

20 Q The date of GNETS entry?

21 A Yes.

22 Q The reason for GNETS placement?

23 A Yes.

24 Q The primary eligibility?

25 A Yes.

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1 Q The medical diagnosis?

2 A Yes.

3 Q The secondary eligibility?

4 A Yes.

5 Q Whether the student's record indicated  
6 that they were unable to receive FAPE in a lesser  
7 restrictive environment?

8 A Yes.

9 Q Am I correct that you also asked for  
10 additional documentation if an answer was yes to  
11 that question?

12 A Yes.

13 Q Whether the student had an FBA prior to  
14 GNETS services?

15 A Yes.

16 Q You asked for the FBA date upon entry?

17 A Yes.

18 Q The current FBA date?

19 A Yes.

20 Q Whether the student had a BIP prior to  
21 entering GNETS?

22 A Yes.

23 Q The current BIP date?

24 A Yes.

25 Q Whether a comprehensive reevaluation was

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1 completed within the last three years?

2 A Yes.

3 Q Their most recent IEP review date?

4 A Yes.

5 Q Whether an IEP meeting included a GNETS  
6 director or their designee?

7 A Yes.

8 Q Whether the student has an IEP goal for  
9 behavior?

10 A Yes.

11 Q And you asked for each therapeutic service  
12 to be identified that a student receives?

13 A Yes.

14 Q And am I correct that you asked the next  
15 questions related to the continuum of GNETS  
16 services, delivery and environments?

17 A Uh-hum. Yes.

18 Q You asked -- you asked whether the IEP  
19 considered -- the IEP team considered the general  
20 education setting in the student's own school or  
21 public school?

22 A Yes.

23 Q Whether the IEP considered a pullout from  
24 the general education setting as part of their  
25 school day in a zoned school or other public school?



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1 A Yes.

2 Q Whether the IEP team considered the  
3 student's zoned school or other public school as  
4 part of the school day in a setting dedicated to  
5 GNETS?

6 A Yes.

7 Q Whether the IEP team considered the  
8 student's zoned school or other public school for  
9 the full day in a setting dedicated to GNETS?

10 A Yes.

11 Q Whether the IEP team considered a facility  
12 dedicated to GNETS for part of the school day?

13 A Yes.

14 Q And did the IEP team consider a facility  
15 dedicated to GNETS for the full school day?

16 A Yes.

17 Q Do you recall if you asked for any  
18 additional information?

19 A I do not recall asking for any additional  
20 information.

21 Q Was this information requested for all  
22 GNETS students?

23 A Yes.

24 Q For a certain school year or for a period  
25 of years?

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1           A     I believe it was for the most recent --  
2     current, recent -- or current school year when we  
3     requested the data.

4           Q     So given the email is dated November 2nd,  
5     2020, am I correct that you were referring to the  
6     2020 to 2021 school year?

7           A     Yes.

8           Q     And did you review the data that you  
9     received?

10           MS. JOHNSON: You can answer whether you  
11     reviewed data received from the directors,  
12     whether you personally did.

13           A     Some data but not all the data. I have  
14     not had the opportunity to review the data, all the  
15     data.

16           Q     Which data did you elect to look at at  
17     this time?

18           A     It was -- we were looking at going through  
19     and reviewing it for all the GNETS that had  
20     submitted the data, probably looked at a couple of  
21     files but have not had an opportunity to dig in to  
22     the data.

23           Q     Okay. Have you requested this information  
24     again for the next school year?

25           A     I have not.

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1 Q And I think I asked this. Did they have a  
2 deadline to complete the information requested?

3 A I don't recall the deadline. I would have  
4 to -- but I don't recall. I can't recall right now  
5 a deadline.

6 Q Is there any other data that GaDOE  
7 regularly collects from the regional GNETS programs  
8 that we haven't discussed yet?

9 A We talked about therapeutic services, the  
10 information we get. Of course, the student record  
11 file we get.

12 I can't think of any -- at this moment  
13 recall any other data that I get from Data  
14 Collections and therapeutic services information.

15 Q Thank you. You've referenced the GNETS  
16 Strategic Plan a few times during our conversation  
17 today?

18 A Uh-hum. (Affirmative.)

19 Q Remember the yeses and nos.

20 A Yes.

21 Q What is the purpose of a GNETS Strategic  
22 Plan?

23 A The strategic plan serves as a framework  
24 for the implementation of services throughout the  
25 network. Those six focus areas are included in the

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1 strategic plan. Again, it's a framework to guide  
2 the work for the network.

3 Q How did it originate?

4 A History before my tenure, I know that  
5 there was a revision in 2016.

6 2019 we've did an update, Lakesha and I  
7 with some of the directors, stakeholders, children  
8 stakeholders. We updated -- I'm not sure  
9 historically where it originally came from, but I do  
10 know, as I was coming in and Nakeba was moving out  
11 of the position, it was in place. Again, we did  
12 another update in 2019.

13 Q Did you make many changes in 2019?

14 A Not many changes. We did reduce the focus  
15 year from seven to six. We combined program  
16 leadership and accountability into that first focus  
17 area because some of the information and the  
18 activity was some of the same, kind of asking the  
19 same questions. If we were doing a review, it may  
20 be that we were seeing the same artifacts presented.

21 So we decided to, with input from the  
22 directors and the stakeholders, to combine those two  
23 areas, but those were the only big changes, went  
24 from seven to six focus areas, but a lot of the  
25 other content pretty much stayed the same, just a

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1 few revisions here and there.

2 Q And that was you and Lakesha?

3 A We led it. We also had GNETS directors be  
4 a part of that.

5 We got feedback in a directors meeting  
6 from all the directors. Hey, here is Section 2 of  
7 the strategic plan, we'd like your feedback, and we  
8 got their feedback. And then this team -- Lakesha,  
9 not a team, and directors came together to finalize  
10 what some of those revisions would be, but not major  
11 revisions.

12 Q Thank you.

13 How often are the strategic plans  
14 completed by the regional GNETS programs?

15 A They should -- that's the framework, so  
16 they use those each year. That's that  
17 self-assessment piece where they do a  
18 self-assessment on their implementation of the  
19 framework, and they do one in the fall and then they  
20 do one at the end of the year.

21 Q Let's walk through the steps related to  
22 the GNETS strategic plan as if I was a regional  
23 GNETS director.

24 A Okay.

25 Q So you mentioned that there's a

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1 self-assessment in the fall?

2 A Yes.

3 Q What does that entail?

4 A They take the strategic plan, which has a  
5 rubric built within it, and they go through the  
6 different activities and they rate themselves. It's  
7 a self-assessment piece. For this specific  
8 activity, are we operational on this activity, is it  
9 emerging in our practices or do we see it's not  
10 evident.

11 So with that self-assessment, they then  
12 use that data and they work with their local teams  
13 to say, for instance, if it's therapeutic services  
14 section, we're not -- we're reviewing ourselves, our  
15 self-assessment. We're not seeing these artifacts  
16 of evidence of this implementation, and they then  
17 meet as a team and work on ways to get to that place  
18 of trying to get all of the activities moving to  
19 operational.

20 Q What are the ratings?

21 A Operational, emerging, and not evident.

22 Q With operational being the highest?

23 A Yeah, that they are able to go through  
24 that rubric and they can see what the activities  
25 that are outlined in the framework, that they're

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1 implementing those activities.

2 Q So that happens during the fall semester.  
3 Is there a deadline to which they have to complete  
4 that self-assessment?

5 A Most -- some will do it in early -- in  
6 October, but most get it done by December, so that  
7 they then can be ready to do their end of year. End  
8 of year.

9 Q Do you receive the fall self-assessment?

10 A I get those at the end of the year as part  
11 of their strategic -- I mean grant application.  
12 That is one of the required attachments that we ask  
13 for.

14 Q So you receive it in the grant  
15 application?

16 A Yes.

17 Q Do you receive it when you receive their  
18 end of the year self-assessment?

19 A They're both submitted at the same time.

20 Q With the grant application?

21 A With the grant application.

22 Q So the GNETS Strategic Plan  
23 self-assessment is not --

24 MS. TUCKER: Scratch that.

25

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1 BY MS. TUCKER:

2 Q Is the GNETS Strategic Plan  
3 self-assessment submitted independently at the end  
4 of the year to you?

5 A Yes. Each GNETS director submits that.

6 Q And about what time of year at the end?

7 A This year we changed that the grant  
8 applications had to be in by May 31st.

9 Q So it's always an attachment to the grant  
10 application?

11 A That part of it. A lot of change process  
12 -- and processes. Some changes.

13 This -- for this past year, it was part of  
14 the end of year grant application process. They had  
15 to submit that. And now we -- our next steps would  
16 be to now schedule time, visits to go, or virtual  
17 meetings to talk to them about their end of year  
18 ratings and how their teams landed there.

19 And then there's a self-assessment  
20 summary, once they've done those ratings, their end  
21 of year, and they see kind of the different focus  
22 areas, hey, we're operational here, we're kind of  
23 still emerging in this, emerging in this area. They  
24 then rank for priorities. They rank the priorities  
25 for the different focus areas. What's the No. 1



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1 area for you, what's the No. 2 area for you.

2 And we'll have conversations with them  
3 about how they rank themselves, and they'll share  
4 how they kind of landed with their ratings.

5 MS. TUCKER: I'd like the court reporter  
6 to mark this document as Plaintiff's Exhibit  
7 388.

8 (WHEREUPON, Plaintiff's Exhibit-388 was  
9 marked for identification.)

10 BY MS. TUCKER:

11 Q This is an email from you to Zelphine  
12 Smith-Dixon and Shaun Owen. The date is August  
13 28th, 2020, and the subject is updated revisions to  
14 the strategic plan, and there's one attachment.

15 Again, it's GA00362004.

16 Mrs. Cleveland, do you recognize this  
17 email?

18 A Yes. Yes.

19 Q And then let's turn to the second page,  
20 which is with Bates GA00362005.

21 Am I correct that this is a document  
22 titled "Georgia Network for Educational and  
23 Therapeutic Support, Strategic Plan"?

24 A Yes.

25 Q "Implementation Fidelity Checklist &

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1 Self-Assessment Rubric"?

2 A Yes.

3 Q Am I correct there is a GaDOE logo and  
4 there is an updated date of 1/28/2020?

5 A Yes.

6 Q Do you recognize this document?

7 A Yes.

8 Q Is this the document we were just speaking  
9 about?

10 A Yes.

11 Q So who drafted the document?

12 A This is with the revision we mentioned  
13 earlier. We met with GNETS directors in November of  
14 2019, and Lakesha and I worked on the edits,  
15 recommendations from GNETS directors and from us on  
16 things to update.

17 Q Am I correct then, looking at Page 2,  
18 using the page number at the top -- at the bottom,  
19 towards the bottom there is bold that says, "GNETS  
20 Strategic Plan Committee (11/19/2019)"?

21 A Yes. That's the group of staff that  
22 worked on it, yes.

23 Q Just to clarify, that's the group of staff  
24 that worked on the 2019 revisions of the --

25 A Yes --

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1 Q -- GNETS plans?

2 A GNETS directors.

3 Q Great.

4 A And then, of course, as I mentioned  
5 previously, other directors. We just got their  
6 feedback in a directors meeting. But this group  
7 came back with the feedback from everyone to look at  
8 doing the update.

9 Q And you and Lakesha Stevenson are also  
10 part of that committee?

11 A Yeah, we met with them.

12 Q And helped with the drafting and creating?

13 A Yes, the edits.

14 Q Do you distribute this strategic plan and  
15 self-assessment rubric to the regional GNETS  
16 programs?

17 A Yes. They have a copy and it's also on  
18 our website.

19 Q Do you provide trainings on the strategic  
20 plan and self-assessment?

21 A We have provided trainings. As a matter  
22 of fact, with the updates there was a training  
23 provided when the changes changed. For example, the  
24 change of combining program leadership and  
25 accountability into one section. So we did provide

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1 training to all the GNETS directors on those  
2 different changes.

3 Q On the first page am I correct there are  
4 six focus areas listed?

5 A Yes.

6 Q And these were the focus areas you were  
7 referring to earlier?

8 A Yes.

9 Q What is meant by a focus area?

10 A This plan, what's in place. Upon me  
11 entering into this role, the focus area are the  
12 areas that are used in the framework that they --  
13 that they implement this framework in.

14 Q Let's turn to page -- let's see.  
15 Are you on Page 7?

16 A Uh-hum. (Affirmative.)

17 Q Great.

18 A Yes.

19 Q Okay. Can you walk me through this  
20 Section 1, Program Leadership and Accountability  
21 framework? What would I do if I was a regional  
22 GNETS director?

23 A You would look at these action items and  
24 then implementing the framework or working within  
25 the framework, as you looked at the action item,

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1 you're looking at the standard over here. Based on  
2 your information and artifacts you've collected  
3 during the year, you would look to see how would you  
4 self-assess yourself with that activity for Section  
5 A.

6 Directors will promote and remain aware of  
7 the strategic plan. Do you rate yourself as  
8 operational, emerging, or not evident in that area,  
9 and that would be the process for each of the areas'  
10 activities.

11 Q And would this same document be used in  
12 the fall as well as the end of year for the  
13 self-assessment?

14 A Yes.

15 Q Do you provide guidance on what is -- what  
16 meets operational or emerging or not evident?

17 A It's, it's a self-assessment. So they,  
18 they rate themselves. And as we get ready to go --  
19 when we did reviews, when they were face-to-face,  
20 they could share what they have. We would look at  
21 that information and artifacts that they provided.  
22 They've done their rating and we may do a rating of  
23 what we see that they provided, and that would be  
24 the feedback process.

25 Q Got it.

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1 And ensure students social and emotional.  
2 This one has quite a few action items.

3 So as they -- as they implement this  
4 framework, these are things we're looking at within  
5 their programming. Are you implementing these  
6 action items, and to what standard within the  
7 rubric.

8 Q So at the top of Goal 2, it says:  
9 "Throughout the school year, 100% of GNETS programs  
10 will demonstrate highly reliable evidence of  
11 implementing 'evidence based' behavioral support and  
12 therapeutic services for all students at an  
13 operational level."

14 Do you see that?

15 A I would need to have their ratings in  
16 front of me. I can't definitively say, but I can  
17 see when I do the reviews if they're implementing  
18 that or not at that level. I don't know the  
19 numbers.

20 Q So what happens if a regional program did  
21 not meet a hundred percent?

22 MS. JOHNSON: Objection.

23 A There's conversation, okay, you didn't  
24 meet this action item at operational. What is your  
25 team working on to do -- you know, working to

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1 implement to get to that place?

2 And the last part of the strategic plan,  
3 it has that summary. So these areas where they may  
4 not be meeting at operational, you know, at a  
5 hundred percent, or meeting any of the action items  
6 at 100 percent, that's where the local team writes  
7 their priorities of areas that they need to work on,  
8 areas of improvement.

9 Q If a program was to not receive a hundred  
10 percent, would you then look differently at this  
11 portion the following year?

12 MS. JOHNSON: Objection.

13 A We would definitely want to have follow-up  
14 conversation. Hey, you didn't meet this action item  
15 a hundred percent, what has the local GNETS put in  
16 place to meet that.

17 Q When would you have those conversations?

18 A Typically, when we did them before, when  
19 we were face-to-face, we would have those  
20 conversations then. Because, remember, they have  
21 done their self-assessment. They're then sharing  
22 with us what they have implemented, and that  
23 conversation could come up in their strategic plan  
24 review.

25 You're emerging here, you know, how --

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1 what are you going to be doing to get this to  
2 operational.

3 Q Who's involved in those conversations?

4 A Lakesha and I do -- have done the  
5 strategic plan reviews in the past. Whether we were  
6 doing them together or I was doing one or she was  
7 doing one, the districts, we would be in those  
8 conversations.

9 Q Can a program still be funded through the  
10 GNETS grants if they don't meet these goals?

11 A Yes, the grant. Yes, they receive the  
12 grant.

13 Q Are other steps taken in addition to the  
14 conversations and further monitoring if they do not  
15 meet the goals identified in the strategic plan?

16 A Say the question again.

17 Q Sure. They're various goals in the  
18 strategic plan, correct?

19 A Right.

20 Q You mentioned that if a regional program  
21 does not meet it, you have conversations about what  
22 steps to take --

23 A Or they share with us.

24 Q -- or they share with you.

25 What other steps are taken by GaDOE?



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1 from providing a score, percentage score, to looking  
2 at just the rubric feedback, and our feedback became  
3 -- after we reviewed what they shared, gave our view  
4 of it, the artifacts that they shared, we ranked as  
5 operational, evident -- or not evident -- emerging  
6 or not evident, from what we could see that they  
7 shared.

8 But you said a criteria? Could you  
9 repeat?

10 Q I was wondering if you had criteria that  
11 helped you assign that score?

12 A It's really looking for implementation.  
13 These are the action items, these are some of the  
14 type of activities we should see that reflect if  
15 you're implementing this. And it was using the same  
16 ratings, rubric ratings.

17 Q Do you still give those ratings?

18 A We paused strategic plan monitoring in  
19 2020, just as cross-functional monitoring and -- as  
20 the other did, because we couldn't get there.

21 We did not do those in the past two years,  
22 but in the past we did do those ratings. We  
23 provided the feedback to them for the different  
24 sections, based on once they shared their data, what  
25 our ratings were. We did share that.

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1           A       I think Lakesha and I worked on it  
2 together.

3           Q       Am I correct this document includes the  
4 on-site monitoring for the strategic plan reviews  
5 for fiscal year '18?

6           A       '18 or '19?

7           Q       The first sentence it says, quote "On-site  
8 monitoring visits" --

9           A       I --

10          Q       I'll just finish it for the record.  
11                   "On-site monitoring visits will be  
12 completed based on ratings received from the FY18  
13 Strategic Plan Summary Reviews."

14                   Do you see that?

15          A       Yes.

16          Q       Thank you. So am I correct by looking at  
17 this that programs that you visited in person versus  
18 virtually, it was based on scores?

19          A       Yes. This was how it was previously --  
20 feedback was previously provided. This was in 2019  
21 -- 2018, '19.

22                   The previous process, because that process  
23 has changed. We've now moved to just the rubric  
24 ratings. We would take a look at each focus area  
25 and look at rating based on percentages. If it's

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1 five activity action items were in that area, they  
2 got four in operation on that area. That's an 80  
3 percent rating.

4 So we were using a numerical rating, but  
5 we all have been moved towards just feedback on  
6 implementation based on the rubric.

7 Q So I'm correct that you moved from a  
8 numerical rating to the operational, emerging --

9 A Yes.

10 Q -- not evident?

11 A Not -- rubric rating, yes.

12 Q That's what you referred to as the rubric  
13 rating?

14 A Yes.

15 Q What led you to make that change?

16 A Just in discussion with the State  
17 director. Not being able to have that conversation  
18 to be able to know what the timeline was, but I  
19 think initial conversations, and I don't know this  
20 definitively, were to -- the ratings -- the  
21 numerals were only looked at for three years.

22 So just in conversation with the State  
23 director, we decided to move towards fidelity  
24 implementation, using the rubric process versus  
25 numerical.

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1           A       I don't recall many not receiving -- many  
2 receiving not evident.

3           Q       Have you seen not evident scores on a  
4 self-assessment?

5           A       We've looked at those now as part of the  
6 grant application review, and I don't recall seeing  
7 not evident.

8           Q       Have you or GaDOE provided a not evident  
9 score to a regional GNETS program on an action item?

10          A       I don't recall providing that score, but  
11 the feedback is there if I had to look at it.

12                 MS. TUCKER: I'd like the court reporter  
13 to mark this document as Plaintiff's Exhibit  
14 390.

15                 The Bates number on the first page of this  
16 exhibit is GA00054562.

17                 (WHEREUPON, Plaintiff's Exhibit-390 was  
18 marked for identification.)

19 BY MS. TUCKER:

20          Q       This is an April 24th, 2020 email from  
21 you, Vickie Cleveland, to Shaun Owen and Zelphine  
22 Smith-Dixon, and the subject is "Documents for  
23 meeting tomorrow." And there are a few attachments.

24                 Mrs. Cleveland, do you recognize this  
25 email?

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1 A Yes.

2 Q Am I correct that you were sending these  
3 documents in advance of a meeting that day?

4 A Yes, per the email.

5 Q Do you recall why you were meeting?

6 A Based on the attachments, it looks like it  
7 was around fiscal assurances, and it looks like I  
8 was sharing an upcoming presentation on GNETS  
9 funding.

10 Q Thank you, Mrs. Cleveland.

11 I'd like to talk about that presentation,  
12 which begins on GA00054567.001.

13 From the earlier email, this document was  
14 titled, "GNETS FY20 Funding."

15 Do you recognize this presentation?

16 A I do.

17 Q Did you create it?

18 A Yes.

19 Q Have you created updated presentations to  
20 cover the next fiscal years?

21 A We did a training in October I believe --  
22 October of 2021 and I invited Geronald, our budget  
23 liaison, to come present on budget, and I also had  
24 Melissa Roberts, the program manager for Federal  
25 Programs budgets -- special education budgets, come

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1 record numbers, which is driven by enrollment, and  
2 his office calculates the allocation formula, and  
3 then he provides these numbers to me.

4 Q And then the next slide, am I correct that  
5 this is the federal money allocation per program?

6 A Yes.

7 Q And how is this calculated?

8 A This one is calculated on like -- in  
9 enrollment bands, for example, ranges. They range  
10 if you have less than a hundred kids or 250 to 300  
11 kids. That's how their allocation is assigned.

12 Q Thank you.

13 A And the next page.

14 Q Got it. Thank you.

15 You've presented on this.

16 Let's turn to Page 13 -- or Slide 13.

17 A Okay.

18 Q Am I correct that this identifies the  
19 Fiscal Year 20 contracts and grants?

20 A Yes.

21 Q Are these grants paid for with state grant  
22 money?

23 A They are paid for with state grant money.  
24 The State grant wants the formula and locations that  
25 have been allocated to each GNETS. I am allocated a